

Dear Applicant:

In order to petition for a pardon, you must provide a letter addressed to Governor Warner stating the reason for your request; Date of Birth; Social Security Number; Current Address; Current Phone Number; Details of the Crime(s) for which you were convicted; Date of Conviction(s); Court of Conviction(s); Sentence, or other disposition of conviction(s); Date civil rights were restored (for felony convictions); and location(s) of incarceration.

Once this information is received, we will review the request to determine if the case warrants investigation by the Virginia Parole Board. If so, we will request an investigation and proceed based on its recommendation.

It is the Governor's policy to restrict such acts of clemency to exceptional situations, as he is most reluctant to substitute his judgment for that of the courts. If an individual feels able to provide substantial evidence of such exceptional circumstances, the above-required information may be submitted to the Governor. If a petition for clemency is denied, the petitioner has **no right of appeal**, but may reapply after a two-year period.

There are three types of pardons:

- 1) An **Absolute Pardon** is rarely granted because it is predicated on the belief that the petitioner was **unjustly convicted and is innocent**. An absolute pardon is the only form of executive clemency that will allow the petitioner to petition the court for an expungement of record.
- 2) A **Conditional Pardon** is only available to those who are currently incarcerated. It is usually granted for early release and carries certain conditions, the violation of which can result in re-incarceration. There must be **extraordinary** circumstances for an inmate to be considered for such a pardon.
- 3) A **Simple Pardon** is another matter. While it **does not expunge the record**, it does constitute official forgiveness and often serves as a means for the petitioner to advance in employment, education, and self-esteem. Evidence of good citizenship is required, as are favorable recommendations from the official involved in the case and the Virginia Parole Board.

Should you have any questions concerning executive clemency, please contact, Patricia Tucker at (804) 692-0105.